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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 LESLIE GEORGE,

10 Plaintiff,

11 v.

12 TSI GE HAILE,

13 Defendant`.

Case No. 3:16-cv-00616-MMD-WGC

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE
WILLIAM G. COBB

14 Before the Court is the Report and Recommendation of United States Magistrate
15 Judge William G. Cobb (ECF No. 3) ("R&R" or "Recommendation") relating to plaintiff's
16 application to proceed *in forma pauperis* (ECF No. 1) and *pro se* complaint (ECF No. 1-
17 1). Plaintiff had until February 10, 2017, to file an objection. To date, no objection to the
18 R&R has been filed.

19 This Court "may accept, reject, or modify, in whole or in part, the findings or
20 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party
21 timely objects to a magistrate judge's report and recommendation, then the court is
22 required to "make a *de novo* determination of those portions of the [report and
23 recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails
24 to object, however, the court is not required to conduct "any review at all . . . of any issue
25 that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).
26 Indeed, the Ninth Circuit has recognized that a district court is not required to review a
27 magistrate judge's report and recommendation where no objections have been filed. See
28 *United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard

1 of review employed by the district court when reviewing a report and recommendation to
2 which no objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,
3 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the
4 view that district courts are not required to review "any issue that is not the subject of an
5 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then
6 the court may accept the recommendation without review. *See, e.g., Johnstone*, 263 F.
7 Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation to
8 which no objection was filed).

9 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
10 determine whether to adopt Magistrate Judge Cobb's R&R. Upon reviewing the R&R
11 and proposed complaint, this Court finds good cause to accept and adopt the Magistrate
12 Judge's R&R in full.

13 It is therefore ordered, adjudged and decreed that the Report and
14 Recommendation of Magistrate Judge William G. Cobb (ECF No. 3) is accepted and
15 adopted in its entirety.

16 It is further ordered that plaintiff's application to proceed *in forma pauperis* (ECF
17 No. 1) is granted.

18 It is further ordered that the Clerk detach and file the complaint (ECF No. 1-1).

19 It is further ordered that the complaint is dismissed with prejudice.

20 The Clerk is directed to close this case.

21 DATED THIS 25th day of April 2017.

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24 MIRANDA M. DU
25 UNITED STATES DISTRICT JUDGE
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